1. Number of pages. 1 to 12
2. Date of repair. 24-7-35
3. Initials of Referencer.

M.R.O. 1—82 400—22-11-30

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No. 19 ~~Press.~~ Mis.

Dated 16 1 1862

Not to be folded or roughly handled

24-7-35

No. 1164. Combaconum
21st December 1861

From
G. T. Beauchamp Esquire
Civil Judge of Tanjore

To T. Pycroft Esquire
Chief Secretary to Government
Pension Department
Fort Saint George

Sir,

Subbien, a Superannuated Pensioner holding the Certificate No. 2129, has been convicted by the Moofty Sudr Ameen of having preferred a wilfully false and malicious complaint of aggravated assault before the Sub Magistrate of Puttocottah and, having undergone the sentence of 3 months imprisonment passed on him, has now applied for the arrears of his Pension, as also for its continuance.

2 Under Para 11 of the Civil Pension Rules a pension is forfeited by the giving of false evidence, but as it seems to me open to a doubt whether the false

evidence

evidence specified in that section was intended to embrace evidence generally, or to be restricted to evidence touching claims to pensions, I have the honor to request instructions on the subject.

I have the honor to be
Sir
your most obed^t. Servant
G. T. Beauchamp
Civil Judge

C 10 Jany/61
R15

Pension 1862 Depart.

From The Civil Judge of Tanjore
To The Chief Secretary to Government Pension Depart.
Fort St. George
Dated 21st Decr. 1861
Recd. 4 Jany 1862
No. 1164
Enclosure —
No. 11

Requests instructions as to whether the false evidence specified in Para 11 of the Civil Pension Rules was intended to embrace evidence generally, or to be restricted to evidence touching claims to pensions. —

3

Memo.

Letter from the Civil Judge of Tanjore - No 11. Dated 21st Decr. 1861.

The Civil Judge of Tanjore in this letter mentions a case that has lately occurred in his Zillah in which a superannuated Pensioner (Certificate No 2,129) has been convicted by the Deputy Sudr Ameen of having preferred a wilfully false and malicious complaint of aggravated assault before a Sub. Magistrate, and has undergone the sentence of 3 months imprisonment passed on him in consequence. He has now applied for the arrears of his Pension, and also for its continuance.

2. Mr. Beauchamp solicits instructions

I do not think the rule quoted applies at all to the evidence given by this man and as he has been punished to the full extent I must suppose of his offence I do not think that it would be right to remove his Pension as to whether this case is to be viewed as coming within the provisions of Para 11 of the Civil Pension Rules which declares a Pension to be forfeited on the holder's giving false evidence, or not.

The rule in question is given in the margin, and I think it is plain, from the opening sentence of the para, that the false evidence alluded to lower down relates solely to evidence given by Pensioners on subjects relating to claims to Pensions on the part of others, and that evidence generally is not included by the rule. This however is for the decision of Government.—

As regards Carnatic Stipendiaries⊕ the intentions of Government are explained much more plainly in their Ex. Min. Con. No 230 dated 14th March 1857, and several instances have occurred since in which Stipends have been resumed in consequence of the holder having been convicted of, and imprisoned for a criminal offence.—

5. Should Government now consider that the Rule referred to by Mr Beauchamp

"Rule 11
Depositions taken to establish the rights of claimants to pensions must always be recorded and signed; and 3 all persons in the receipt of pay or pensions from Government are informed that in the event of their giving false evidence, or being in any way concerned in an attempt to defraud the Public to their own advantage, or that of others, or who being cognisant of such fraud, shall fail to divulge them, will be totally deprived of the bounty of Government, and subject to such further punishment as the law may authorize"

Para 9.
The Agent will apprize 4 "the members of the Carnatic Family, as well as all the Officers, Servants, or Dependants who may be admitted to Pensions that, as these allowances have been conferred only from the pure bounty of Government, so they will be subject to be at any time suspended, or withdrawn altogether, should the misconduct of the recipient, in the opinion of Government, render such a measure deserved."

⊕ Of 1855: those admitted to pension on the death of the Nabob – not those the 1801 pensioned when the Carnatic came finally into the hands of the British Govt. – The case of these Stipendiaries is not special – and I do not see a- [illegible] it is equally extensive in its application with the rule relating to the Carnatic Pensioners it would, perhaps, be advisable to publish a Notification explaining the Rule more clearly. —

W. T. K.

any of these having been deprived of their pensions for such offences as bringing false compts. but for graver crimes as theft &c. —

I submit that matters may be left as they are. As for this man he has been punished with three months imprisonment which seems enough. To stop his pension would be hard on his family & punishing the innocent with the guilty. —

E. P.

(8)

C 10 Jany/62
1215

Pension Department

Proceedings of the Madras Government

Read letter from the
Civil Judge of Tanjore
Here enter 21st Decr 1861

Order thereon
16th January 1862 No. 19

The Government are not of opinion that the rule referred to by Mr. Beauchamp applies to the case of the Petitioner mentioned, in the foregoing letter and they resolve accordingly to direct ~~that~~ the Pensioner Subbien, No. 2,129 be readmitted to the

11

Pension originally assigned him, but without the arrears which may have accumulated during his imprisonment.

N. S. M.

Actg Secy to Govt

To
The Civil Judge of Tanjore.

Pension 1862 Depart.

No. 19

Proceedings of Government

Dated 16th January 1862

Informing that the rule referred to by Mr Beauchamp do not apply to the case of the Petitioner and direct that he be re-admitted to Pension original assigned.